

TOWN OF BERTHOUD

ORDINANCE NO. 1313

AN ORDINANCE AMENDING CHAPTER 11, OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD, FOR THE PURPOSES OF ADOPTING THE 2021 INTERNATIONAL BUILDING CODE BY REFERENCE WITH AMENDMENTS, THE 2021 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE WITH AMENDMENTS, THE 2021 EXISTING BUILDING CODE BY REFERENCE, THE 2021 ENERGY CODE WITH AMENDMENTS, THE 2020 NATIONAL ELECTRICAL CODE BY REFERENCE WITH ELECTRIC VEHICLE AMENDMENTS, THE 2021 INTERNATIONAL PLUMBING CODE BY REFERENCE WITH AMENDMENTS, THE 2021 INTERNATIONAL FUEL GAS CODE, GRAY WATER SYSTEMS ADOPTING CONTROL REGULATION 86 BY REFERENCE, THE 2021 INTERNATIONAL MECHANICAL CODE BY REFERENCE WITH AMENDMENTS, AND THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE BY REFERENCE.

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt the 2021 International Building Code by reference with amendments, the 2021 International Residential Code by reference with amendments, the 2021 Existing Building Code by reference, the 2021 Energy Code with amendments, the 2020 National Electrical Code by reference with Electric Vehicle Amendments, the 2021 International Plumbing Code by reference with Amendments, the 2021 International Fuel Gas Code, the Gray Water Systems adopting control regulation 86 by reference, the 2021 International Mechanical Code by reference with amendments, the 2021 International Swimming Pool and Spa Code by reference, with certain amendments tailored to accommodate particular circumstances and requirements of the Town; and

WHEREAS, Town staff has conducted an outreach program, working with the regulated construction industry and building professionals in the development of these provisions; and

WHEREAS, the Board of Trustees, after proper notice, has held a public hearing on this ordinance providing for the adoption of said code pursuant to C.R.S. § 31-16-203; and

WHEREAS, the 2021 International Residential Code by reference with amendments, the 2021 Existing Building Code by reference, the 2021 Energy Code with amendments, the 2020 National Electrical Code by reference with Electric Vehicle Amendments, the 2021 International Plumbing Code by reference with Amendments, the 2021 International Fuel Gas Code, the Gray Water Systems adopting control regulation 86 by reference, the 2021 International Mechanical Code by reference with amendments, the 2021 International Swimming Pool and Spa Code by reference and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. That Section 11 the Berthoud Municipal Code is hereby repealed, and the 2021 International Residential Code by reference with amendments, the 2021 Existing Building Code by reference, the 2021 Energy Code with amendments, the 2020 National Electrical Code by

reference with Electric Vehicle Amendments, the 2021 International Plumbing Code by reference with Amendments, the 2021 International Fuel Gas Code, the Gray Water Systems adopting control regulation 86 by reference, the 2021 International Mechanical Code by reference with amendments, the 2021 International Swimming Pool and Spa Code as set forth in Appendix A are adopted as follows:

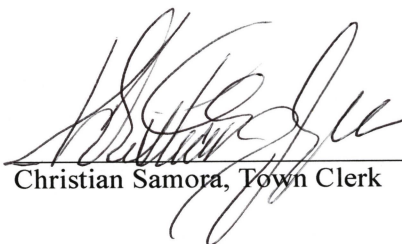
Section 2. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

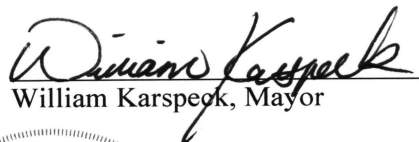
Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the Town of Berthoud by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5: The Provisions of this Ordinance shall take effect thirty days after publication as required by law, and shall apply to all lighting plans, development, and construction permitted after such date.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN
FULL this 13th day of December, 2022.


Christian Samora, Town Clerk


William Karspeck, Mayor

